

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

A request for a three month extension of the period for response to the final Office Action mailed on June 30, 2008 is enclosed. The extended period for response expires on December 30, 2008.

Claim Status

Claims 1-3 are pending. Since no claims are added, amended or canceled, no listing of claims is required under 37 CFR 1.121.

Claim Rejections – 35 USC 103

Claims 1-3 are rejected under 35 USC 103(a) as obvious over Proctor (US 6,925,070) in view of Gitlin (US 6,018,528). In response, applicant traverses the rejections.

In its previous response, applicant argued out that Proctor does not disclose transmitting nonsimultaneously a preamble signal for a plurality of frequency channels, as is required by each of claims 1-3. In response, at pages 3-4 of the Action, the Examiner asserts that "Figures 1, 3; col. 2, lines 51-64 and col. 3, lines 15-30, col. 5, lines 35-46, disclose the several spots conforming to channels and deliverance of different packets, which are transmitted simultaneously and transmitting periodically, which reads on transmission no simultaneously". Applicant strongly disagrees with this assertion, and in particular submits that none of the cited passages of Proctor discloses transmitting nonsimultaneously a preamble signal for a plurality of frequency channels.

Taking each of the cited passages of Proctor in turn, column 2, lines 51-64 merely discloses that multiple data packets are simultaneously sent to a particular receiver over multiple channels, that additional data such as address information is included in a preamble (see also FIG. 3), that a receiver uses a portion of an allocated channel for receiving data, and that a receiver uses one or more time slots for receiving data on an allocated channel. Column 3, lines 15-30 merely discloses

that one or multiple data packets are sent over time-slotted traffic channels, and that each receiver unit allocated use of a particular data channel decodes a preamble of a data packet to retrieve included address information. Column 5, lines 35-46 merely discloses a CDMA radio channel utilizing shared channel resources, and that allocation of resources such as data channels are granted on an as-needed basis.

Thus, these passages of Proctor merely state the technical idea of simultaneous transmission of data packets, and make no mention as to whether preambles are transmitted simultaneously or nonsimultaneously. Therefore, Proctor does not disclose or suggest that preamble signals are transmitted nonsimultaneously. Moreover, the preamble signals as recited in claims 1-3 indicate terminals to which time slots are allocated. Proctor, by contrast, describes a preamble that includes address information on a target receiver to which data packets are directed, and thus does not disclose or suggest a preamble signal as recited in claims 1-3.

Even if different packets are transmitted, and such different packets are transmitted simultaneously as in Proctor, the wireless communication terminal of claims 1 and 3 receives packets by using one frequency channel and therefore cannot receive all of these simultaneously transmitted different packets. In other words, in applicant's invention, it is not important that packets are different from each other, but it is important that there is a difference in timing.

According to the present invention, preamble signals are transmitted nonsimultaneously so that packets can be received using one frequency channel. As a result, the wireless communication terminal of the present invention that can receive packets by using one frequency channel can receive preamble signals for a plurality of frequency channels.

Gitlin does not remedy, and is not asserted to remedy, these deficiencies of Proctor. Accordingly, since Proctor and Gitlin do not disclose or suggest each and

Appl. No. 10/806,929
Reply dated December 22, 2008
Reply to Office Action of June 30, 2008

Atty. Ref. 81922.0007
Customer No. 26021

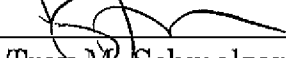
every feature of claims 1-3, claims 1-3 are not obvious over Proctor in view of Gitlin, and the rejections of claims 1-3 under 35 USC 103 should be withdrawn.

Conclusion

This application is believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration of this reply. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: December 22, 2008

By: 
Troy M. Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

1999 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Phone: 310-785-4600
Fax: 310-785-4601